

BOARD OF SELECTMEN – MAY 19, 2014

I. Call to Order/Roll Call

Chairman Dan Kowalski called the Regular Meeting of the Board of Selectmen to order at 7:00 PM in the Selectmen's conference room in the Town Offices. Present: Chairman Kowalski-Y and Selectmen Brian Major-Y, Paul Salafia-Y, Alex Vispoli-Y and Mary O'Donoghue-Y. Also present: Town Manager Reginald S. Stapczynski and Town Clerk Larry Murphy. The meeting was duly posted and cablecast live.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

Chairman Kowalski led the meeting in a Moment of Silence and Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

The Town Manager recognized the Andover soldiers of the 1st Regiment Heavy Artillery Squad who 150 years ago on May 19, 1864 were guarding Washington, D.C. when confronted by a seasoned group of warriors from Stonewall Jackson's Brigade. This is part of the "Lest We Forget" Andover and the Civil War series of programs the Andover Historical Society is sponsoring from March 30 through June 14, 2014.

The Town Manager also made the following announcements:

- ~ The Preservation Awards Ceremony will be held at 7:00 PM at MHL on May 20th.
- ~ Memorial Day Ceremonies will be held on Monday, May 26th beginning at 7:00 A.M. at West Parish Cemetery, 7:30 A.M. at the St. Augustine's Cemetery, 8:00 A.M. at the Spring Grove Cemetery, the Firefighters Memorial at 9:00 A.M. and the Memorial Day Parade at 10 A.M. This year a Special Program will be held at 2:00 P.M. to dedicate the High Plain Road Bridge to veterans of the Iraq and Afghanistan Wars.
- ~ The Board of Selectmen will meet on Monday, June 2nd followed by a Tri-Board Meeting on Tuesday, June 3rd for a report on OPEB by Segal Consulting.

Larry Murphy asked the Board for direction in submitting the certified votes for Article 23 – Health Insurance Benefits for Elected Officials – and Warrant Article 29 – An Act Providing Limited Property Tax Relief for Certain Elders – both of which were approved at Town Meeting. The Board would like to invite State Representative Jim Lyons to attend a meeting to talk about the process for Warrant Article 29. Chairman Kowalski said the Board will submit Article 29 as presented and discuss the implications at a future meeting.

Selectman Major announced that the Andover Chamber of Commerce's Annual Breakfast will be held on Thursday, June 5th at the Indian Ridge Country Club and Mary Montbleau, Bill Fahey, and representatives of the Andover/North Andover YMCA will

be recognized. He also noted that the 2013 World Series Trophy will be at the Town House on May 24th for viewing and photos.

Selectman Vispoli said an update will be provided in June by the Public Health Commission on the opiate epidemic.

Selectman Mary O'Donoghue, in light of the extremely disappointing vote taken by PEC in choosing MIIA Health Insurance Plan over Tufts Navigator thus losing a significant amount of savings for the Town, said she would like to present a motion to ask the Public Employee Committee (PEC) to reconsider their decision on the choice of health care carrier.

Motion: Mary O'Donoghue motioned that the Board of Selectmen direct the Town Manager to ask the Public Employee Committee (PEC) to reconsider their decision in choosing MIAA as their Health Insurance Carrier of choice. The motion was seconded by Alex Vispoli.

Discussion: The Board talked about the short amount of notice provided for the decision and the variables associated with the health care choices.

The Board of Selectmen unanimously voted to approve the motion.

Chairman Kowalski said there is an opening on the Economic Development Committee and interested parties should submit a Talent Bank Form to the Town Manager's Office. He also asked that feedback about Town Meeting be submitted directly to him and for Board members to submit agenda items for future meetings.

IV. Citizens Petitions and Presentations

Mike Roli, College Circle, said Warrant Article 29 was approved at Town Meeting the way it was written. He spoke with Representative Lyons who will take it forward to the Legislature and if any changes need to be made, the State will let the Town know. He said the Board has no right to hold off on the Article because they don't like the way it is written. Chairman Kowalski said the Article will be submitted as presented. The Board will discuss its implications at a future meeting.

Mary Carbone, Cyr Circle, commented on a personal grievance regarding potholes.

V. Public Hearings

A. National Grid – Continued from April 28, 2014

National Grid is requesting permission to excavate for the purpose of constructing a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the following public ways: Abbot Bridge Drive, Eastman

Road, Jefferson Lane and Hartford Circle: Install approximately 1400 feet of 2-3 inch and 700 feet of 4-3 inch conduits, 2 handholes and 2 pull boxes on Abbot Bridge Drive and install approximately 3000 feet of 2-3 inch conduits on Eastman Road, Jefferson Lane, Hartford Circle, Danforth Circle, Livingston Circle and Spruce Circle and install 1 handhole and 1 pull box on Eastman Road. The location begins at a point approximately 50 feet south of the centerline of the intersection of Central Street and Abbot Bridge Drive and continues approximately 4000 feet in a southeasterly direction as shown on Plan #14689679, dated April 18, 2014. The request has been reviewed and approved by the Engineering Division of the Municipal Services Department subject to the condition that the petitioner obtains a street opening permit prior to the commencement of any construction. Several residents in attendance affected by the excavation and construction had questions about the process. The representative from National Grid will schedule a neighborhood and individual meetings to address all concerns.

On a motion by Selectman Major and seconded by Selectman Salafia, the Board unanimously voted to continue the Public Hearing to June 2, 2014.

B. National Grid

National Grid is requesting permission to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the following public way: Ballardvale Road – Two 3" conduits with primary electric cable to service #3 Katsikas Court. The approximate location is shown on Plan No. 16678611, dated May 9, 2014. The request has been reviewed and approved by the Engineering Division of the Municipal Services Department subject to the condition that the petitioner obtains a street opening permit prior to the commencement of any construction. Deborah Properizo of 15 Ballardvale Road whose property abuts the lot reported not having seen the plan and has concerns about the location of the transmitter.

On a motion by Selectman Vispoli and seconded by Selectman O'Donoghue the Board unanimously voted to continue the public hearing to June 2, 2014.

C. National Grid and Verizon New England

Selectman Salafia motioned to approve the request of National Grid and Verizon New England, Inc. for permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: Boutwell Road – install a new 40 c3 pole #1637-50 +/- 60' NW of existing pole #1638 with primary riser also new 40 c3 pole #163 w/new anchor +/- 65' NW of existing pole #1637, also remove existing 35' c14. Approximate location is shown on Plan #16483028, dated 4/1/14. The request has been reviewed and approved by the Engineering Division of the

Municipal Services Department and subject to the condition that the petitioner obtains a street opening permit prior to the commencement of any construction. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

VI. Regular Business of the Board

A. National Grid Overhead Easement

Selectman Major moved that the Board sign the easement agreement for the installation of equipment on property located at 6 Evergreen Lane. The motion was seconded by Selectman Salafia and voted 5-0 to approve.

B. Traffic Rules & Regulations

Safety Officer Edgerly explained the recommended amendments to the Traffic Rules and Regulations to the Board who then voted on the amendments as follows:

1. Schedule 1, Article V, Section 2 – PARKING

Remove:

“Two-hour parking from 9:00 A.M. to 6:00 P.M. except Sundays & Legal Holidays” on the west side of Argyle Street from Balmoral Street to Haverhill Street.

Selectman Major motioned to move approval of Traffic Rules and Regulations for Schedule 1, Article V, Section 2 – Parking. The motion was seconded by Selectman Salafia and voted 5-1 to approve.

2. Schedule 1, Article V, Section 8 (PARKING RULES)

Add:

“When authorized by the Chief of Police or his designee, a Declared Snow Emergency Parking Ban will be in effect on all Town streets and parking lots until the snow emergency has been lifted. During a snow emergency parking ban, there shall be NO PARKING between 9:00 P.M. and 6:00 A.M. on any streets except by Fire, Police, Public Works, other Public Safety vehicles and public utility repair vehicles. This ban may be extended to hours outside of 9:00 P.M. and 6:00 A.M. if extreme conditions require an adjustment. Vehicles parked in violation of this section shall be subject to being towed upon direction of the Chief of Police or other officers as the Chief may from time to time designate. The charges imposed for the towing shall be in addition to any penalty imposed for the violation of the By-laws.”

Selectman Salafia motioned to move approval of Traffic Rules and Regulations for Schedule 1, Article V, Section 8 – Parking. The motion was seconded by Selectman Major and voted 5-0 to approve.

3. Schedule 1, Article V, Section 2 – PARKING

Add:

- (a) In Municipal Lot One off Main Street at Olde Andover Village: Pay & Display Parking – maximum 10 hours – 8:00 A.M. – 6:00 P.M. except Sundays/Holidays – Handicapped as posted – Four 15-minute spaces as posted.
- (b) In Municipal Lot Three (Park Street Village) bordered by Bartlet Street and Park Street: Pay & Display Parking – 4 hour and 10 hour limit as posted – 8:00 A.M. – 6:00 P.M. except Sundays/Holidays – Handicapped as posted – Four 15-minutes spaces as posted.
- (c) Municipal Lot Four (Library) bordered by Essex Street and Pearson Street: 4 hours as posted – 8:00 A.M. – 6:00 P.M. except Sundays/Holidays – Handicapped as posted.

Selectman Major motioned to move approval of Traffic Rules and Regulations for Schedule 1, Article V, Section 8 – Parking with the amendment to item (c) to change 2 hours as posted to 4 hours as posted. The motion was seconded by Selectman Salafia and voted 5-0 to approve.

C. Preservation Restriction – 21 River Street

On a motion by Selectman Salafia and seconded by Selectman Major the Board voted 5-0 to sign a Preservation Restriction for property located at 21 River Street as approved by the Massachusetts Historical Commission and the Andover Preservation Commission.

D. Disposal of Surplus Equipment

On a motion by Selectman O'Donoghue and seconded by Selectman Vispoli, the Board voted 5-0 to approve the request of Plant & Facilities Deputy Director Ed Ataide to designate assorted tables, bookcases, desks, teacher/student chairs, storage cabinets, carts, shelving units, file cabinets and racks as surplus School property for disposal.

E. Customer Service and Code of Conduct Policies – First Reading

The Town Manager is recommending development of a policy addressing the level and expectation of customer service and a Code of Conduct for employees. He anticipates scheduling training to be held over the summer by a professional customer service trainer and to conduct a discussion with staff on expectations.

F. Deed and Easements – Dawn Circle

Selectman Salafia motioned for the Board to accept and sign the deed and easements related to the street acceptance of Dawn Circle approved at the 2014 Annual Town Meeting. The motion was seconded by Selectman Major and voted 5-0 to approve.

VII. Consent Agenda

A. Appointments and Re-appointments

On a motion by Selectman Major and seconded by Selectman Vispoli, the Board of Selectmen moved that the following appointments by the Town Manager be approved:

BALLARDVALE HISTORIC DISTRICT COMMISSION

Remi Machet – Alternate Member – Term expires 6/30/15

(v. G. Rowe)

GREEN ADVISORY BOARD

Charissa Rigano – Term expires 6/30/15

(v. G. Sebasky)

VIII. Approval of Minutes from Previous Meetings

On a motion by Selectman Major seconded by Selectman Salafia, the Board unanimously voted to approve the following minutes from previous meetings: April 7, 2014 – Joint Meeting w/Finance Committee; April 7, 2014 – Regular Meeting; April 16, 2014 – Special Meeting; April 16, 2014 – Tri-Board Meeting w/Finance Committee & School Committee; April 28, 2014 – Regular Meeting; May 5, 2014 – Special Meeting; May 6, 2014 – Special Meeting and the Special Meeting Minutes of May 12, 2014.

IX. Adjournment

At 8:42 P.M., on a motion by Selectman Major, seconded by Selectman Salafia, the Board voted 5-0 to adjourn from Open Session and to move to Executive Session not to return to Open Session. Roll call: Chairman Kowalski-Y and Selectmen Alex Vispoli-Y, Brian Major-Y, Paul Salafia-Y, Mary O'Donoghue-Y.

X. Executive Session

Chairman Kowalski called the Executive Session to order at 8:45 P.M. in the Selectmen's conference room in the Town Offices. On a motion by Brian Major, seconded by Paul Salafia, the Board entered into Executive Session for confidential consultation with Town Counsel and for discussion of the value and acquisition of real estate, not to return to Open Session and that the Chairman declare that an Open Session would be detrimental to the Town's strategy. Roll call: Chairman Kowalski-Y and Selectmen Alex Vispoli-Y, Paul Salafia, Brian Major-Y and Mary O'Donoghue-Y. The Chairman so declared that an Open Session would be detrimental to the Town's strategy.

At 9:05 P.M. on a motion by Mary O'Donoghue, seconded by Brian Major, the Board voted unanimously to adjourn from Executive Session. Roll call: Chairman Kowalski-Y and Selectmen Alex Vispoli-Y, Paul Salafia, Brian Major-Y, Mary O'Donoghue-Y.

Respectfully submitted,

Dee DeLorenzo, Recording Secretary

Documents: Recommended Changes to the Traffic Rules and Regulations
Public Hearing Documents
Deed and Assessment – Dawn Circle
Surplus Equipment Disposal List
Preservation Restriction – 21 River Street